

USAWC STRATEGY RESEARCH PROJECT

**LEADERSHIP: THE DECISIVE FACTOR IN THE ETHICAL  
PERFORMANCE OF UNITS**

by

Lieutenant Colonel David M. Miller  
United States Army

Colonel George Reed  
Project Adviser

This SRP is submitted in partial fulfillment of the requirements of the Master of Strategic Studies Degree. The U.S. Army War College is accredited by the Commission on Higher Education of the Middle States Association of Colleges and Schools, 3624 Market Street, Philadelphia, PA 19104, (215) 662-5606. The Commission on Higher Education is an institutional accrediting agency recognized by the U.S. Secretary of Education and the Council for Higher Education Accreditation.

The views expressed in this student academic research paper are those of the author and do not reflect the official policy or position of the Department of the Army, Department of Defense, or the U.S. Government.

U.S. Army War College  
CARLISLE BARRACKS, PENNSYLVANIA 17013

Report Documentation Page			Form Approved OMB No. 0704-0188		
Public reporting burden for the collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Washington Headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington VA 22202-4302. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to a penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.					
1. REPORT DATE <b>15 MAR 2006</b>		2. REPORT TYPE		3. DATES COVERED	
4. TITLE AND SUBTITLE <b>Leadership The Decisive Factor in the Ethical Performance of Units</b>				5a. CONTRACT NUMBER	
				5b. GRANT NUMBER	
				5c. PROGRAM ELEMENT NUMBER	
6. AUTHOR(S) <b>David Miller</b>				5d. PROJECT NUMBER	
				5e. TASK NUMBER	
				5f. WORK UNIT NUMBER	
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) <b>U.S. Army War College, Carlisle Barracks, Carlisle, PA, 17013-5050</b>				8. PERFORMING ORGANIZATION REPORT NUMBER	
9. SPONSORING/MONITORING AGENCY NAME(S) AND ADDRESS(ES)				10. SPONSOR/MONITOR'S ACRONYM(S)	
				11. SPONSOR/MONITOR'S REPORT NUMBER(S)	
12. DISTRIBUTION/AVAILABILITY STATEMENT <b>Approved for public release; distribution unlimited.</b>					
13. SUPPLEMENTARY NOTES					
14. ABSTRACT <b>See attached</b>					
15. SUBJECT TERMS					
16. SECURITY CLASSIFICATION OF:			17. LIMITATION OF ABSTRACT	18. NUMBER OF PAGES <b>20</b>	19a. NAME OF RESPONSIBLE PERSON
a. REPORT <b>unclassified</b>	b. ABSTRACT <b>unclassified</b>	c. THIS PAGE <b>unclassified</b>			

## **ABSTRACT**

AUTHOR: Lieutenant Colonel David M. Miller  
TITLE: Leadership: The Decisive Factor In the Ethical Performance of Units  
FORMAT: Strategy Research Project  
DATE: 15 March 2006      WORD COUNT: 5506      PAGES: 20  
KEY TERMS: Moral, Commander, Climate, Organizations, Military, Law Of War  
CLASSIFICATION: Unclassified

This paper discusses the role of leaders in creating a command climate which produces ethical behavior evidenced by consistent and proper adherence to laws of war and rules of engagement. It explains why this topic is relevant and important for today's Army. It suggests that leadership is the single most important variable impacting unit ethical climate. Examples of failed cases demonstrate the criticality of leaders' role and the significant consequences of not understanding that role. The paper ends with some suggested means to develop an appropriate ethical climate.



## LEADERSHIP: THE DECISIVE FACTOR IN THE ETHICAL PERFORMANCE OF UNITS

As much as human society abhors war, history indicates that we have accepted its necessity. As a result of this paradox, we have striven to establish ethical standards for warriors that keep the prosecution of war within acceptable moral boundaries. Without such boundaries the prosecution of the war can defeat the very purpose for which the war was engaged. In a worst case scenario war takes on a “life” of its own resulting in war for the warrior’s sake.

Violent conflict among human beings is one of the great constants in our history.... As far back as we can see, the human species has engaged in war and other forms of organized violence. ...It is equally true that as far back as humanity has left written records, people have thought about morality and ethics. ...Every human culture has felt the need to justify... the taking of human life.<sup>1</sup>

Reflecting this search for boundaries, internationally recognized laws of war have evolved. Just war theory encompasses the history, evolution and current status of thinking on, and the rationality of, the laws of war. The present theory’s origin dates as least as far back as St. Augustine of Hippo (354-430 A.D.) who saw war as lamentable, but preferable to suffering that would accompany the collapse of civilization. Just war theory is rooted in Judeo–Christian reasoning and has evolved through conventions such as Westphalia and Geneva. The theory is concerned with the moral requirements necessary to engage in war (*jus ad bellum*) and the just conduct of war (*jus in bello*).

This paper concerns the latter, *jus in bello*, the ethical conduct during war or armed conflict. The just conduct of war has two major components: discrimination and proportionality. Discrimination essentially means that military forces should only target other combatants. The intentional killing of non-combatants (such as civilians) should be avoided. Every effort should be made to avoid non-combatant casualties. Proportionality refers to the principle of using only the amount of force needed to accomplish a military objective. This concept seeks to limit suffering by restraining the use of excessive force. These two fundamental principles of just war theory inform the moral conduct of war.<sup>2</sup> Many other rules and guidelines stem from these concepts. The U.S. Army augmented and codified these concepts through the development of rules of engagement applicable to specific operations. Military leaders are the moral arbiters in war.<sup>3</sup> They serve as values champions and they are responsible for the ethical climate of their units. The law of war and rules of engagement serve as their guideposts. The degree to which a unit complies with the rules and conventions that constrain combat operations serves as an indication of its ethical climate.

In this paper I will discuss the role of leaders in creating a command climate that encourages ethical behavior evidenced by consistent and proper adherence to the laws of war and rules of engagement. I will explain why this is important for today's Army and will suggest that the commander (at any level) is the single most significant factor in creating a climate that produces ethical conduct. I will conclude by suggesting some leader and unit characteristics that contribute to a healthy command climate.

#### Importance of Establishing and Maintaining Ethical Climate

As the military conducted the Global War on Terrorism indicators emerged that not all units maintained ethical standards. CNN filmed a Marine in Fallujah who shot an apparently unarmed individual lying on the ground and then stated, "He's dead now."<sup>4</sup> An Army company commander in Najaf was court martialled for shooting an unarmed Iraqi who was already wounded and incapacitated.<sup>5</sup> A battalion commander in Tikrit placed a gun to the head of a detainee as part of a field interrogation.<sup>6</sup> A captain and two noncommissioned officers reported to Human Rights Watch detainee abuses in Afghanistan that their chain of command allegedly ignored.<sup>7</sup> During peace operations in Kosovo, an Army sergeant attempted to rape and then killed an 11 year old girl.<sup>8</sup> These examples illustrate that unethical conduct that violates the law of war occurs with unfortunate regularity, even in the well trained and professional American Army. While some might argue that the scope of such misconduct is not extensive in a force of over a million, the issue is not whether it is happening in two percent or twenty percent of our units. Even if one accepts that law of war transgressions are relatively infrequent, the negative impact is significant. The frequency of incidents like those described above suggests that we should be doing all we can to ensure all our units have the right ethical climate.

While there are numerous reasons why proper ethical behavior, evidenced by adherence to laws of war, is important, I will limit my argument to three. The first reason relates to the negative strategic impact that results from law of war violations. It is common knowledge that in today's information age, the tactical actions of small units and individuals can have strategic impact.<sup>9</sup> That impact can be positive or negative, but is rarely neutral. The strategic impact of unethical acts challenges our ability to maintain the moral high ground, reduces public support and plays into our opponent's propaganda machine. These acts are detrimental to the military's ability to achieve assigned strategic objectives and they lead directly to the second matter of importance: unethical acts are detrimental to the military's professional stature, internationally, domestically and within the profession itself. Military stature matters because it is related to the degree to which the military is deemed acceptable as a viable element of national power.

Acceptability is one of the three litmus tests used to evaluate strategic options.<sup>10</sup> Thirdly, unethical acts also have significant short and long term impact on our Soldiers' welfare. This is true in at least two respects. At the most basic level, Soldiers will be held accountable for unethical acts that violate the law of war. Aside from the legal argument, Soldiers have to live with the psychological and emotional impact of their actions. Further, unethical behavior destroys trust, morale and cohesion.<sup>11</sup> If we either let Soldiers intentionally conduct unethical acts, or if we intentionally have them conduct unethical acts we are failing to "take care of Soldiers" in the highest sense.

In addition to the reasons listed above, there are at least two additional reasons why it is important to focus on ethical climate at this point in time. The nature of complex contingency operations like those in Iraq and Afghanistan make ethical decision making and application of laws of war extremely difficult. In these operations the lines between peace and war, combatants and non-combatants, and degrees of proportionality are more blurred and fluid than ever. This factor makes it difficult for Soldiers to make the best ethical choices.<sup>12</sup> The stress of extended combat also has a deleterious effect on Soldiers' and leaders' decision making. Our leadership manuals, the capstone manual FM 22-100 *Leadership* in particular, discuss both combat stress and ethical behavior. However, in no place do the manuals connect the two issues.<sup>13</sup> It is important, however, to consider this relationship since combat stress could play a role in unethical behavior or law of war violations. Martin Cook explained it this way:

Attempts to conduct warfare within moral limits have met with mixed success. ...The realities of combat, even for the best trained... place severe strains on respect for those limits... and cause military leaders to grow impatient with them in their need to "get the job done." Events like the massacre at My Lai show that forces officially committed to just war are capable of atrocities...<sup>14</sup>

James McDonough provides an illustrative vignette on this topic by describing one of his Viet Nam experiences as a platoon leader. While trying to respond to the assistance of some Soldiers caught in an ambush some of his soldiers were seriously wounded. Adding to the gravity of the situation, they encountered a mine field. Driven by a sense of urgency to save his wounded Soldiers and rescue the ambushed element, he threatened to kill a farmer who would not show him the path through the minefield. He admittedly crossed the line in the stress and strain of the moment. The strains of these dilemmas exist nowhere as evident as in combat and it is why Walzer referred to combat as "the hardest place."<sup>15</sup>

Recognizing that combat stress and the moral ambiguities of complex contingency operations increase the likelihood of law of war violations, an ethical command climate should be of paramount importance to commanders who seek to reduce law of war violations.<sup>16</sup> The

morally corrosive nature of extended combat operations in full spectrum operations does seem to result in ethical compromise and law of war violations. When one considers the negative impact of moral collapse on the scale of My Lai and Abu Ghraib, it is arguable that fostering ethical climates that promote adherence to the laws of war are more important than any other aspect of ethics in the military profession.

This paper highlights the commander's role in creating a climate that leads to ethical behavior. A basic premise is that adherence (or failure to adhere) to the laws of war serves as an indicator of an ethical climate. As described earlier, the law of war is an ethical guideline for the conduct of war.<sup>17</sup> If a violation of the laws of war occurred one can surmise several explanations. Perhaps the violators erroneously thought what they did was proper because it was in concert with unit norms, or they might understand that what they did was wrong yet there was insufficient leadership influence to prevent the transgression. Both of these circumstances relate to command climate. The climate (good or bad) sets the tone for soldier's actions. Studies of incidents involving US Soldiers ranging from My Lai,<sup>18</sup> to Kosovo support this contention and will be expounded on later in this paper.<sup>19</sup> I contend that if the proper climate exists the appropriate ethical behavior will follow. Adherence to the laws of war will likely be an outcome of good ethical climate. With the importance of the subject understood, the commander's role in creating a climate that fosters ethical behavior can be addressed.

#### The Role of the Commander

The commander (at any level) is the single most important factor in creating a climate that produces ethical behavior evidenced by the adherence to the laws of war and rules of engagement. To support this assertion we need to consider the methods other than the commander that the Army employs to ensure adherence to laws of war, and the nature of command itself.

The professional military ethic is a reflection of our national values, the functional imperatives of the profession (Soldiers creed, code of conduct, etc.) and international laws and treaties (Law of War).<sup>20</sup> The Army instills the ethic in many ways. It is embedded in our doctrine such as FM 22-100, *Leadership*. It is addressed in all aspects of training from basic training to all noncommissioned and officer career progression schools. Training in standards of conduct is an annual requirement and training in rules of engagement is a mandatory part of pre-deployment training. The assignment of chaplains and lawyers ensures subject matter experts are embedded in our units. From a doctrine, training and organization standpoint the Army does this well and uniformly across the force. These efforts help keep the professional



military ethic part of the Army's culture. However, since these efforts are essentially uniform, they do not account for variation in application. In other words, they do not account for why some units engage in unethical behavior resulting in law of war violations and why other units do not. Therefore, while all the mentioned methods are extremely important to instilling the military ethic in Soldiers and units, they are not the sole determining factor on the ethical behavior of units and individuals. What does vary from unit to unit is the commander or leader. In scientific terms, this suggests the other methods are fixed factors and the commander is an independent variable. This in turn suggests that the commander is a determining factor in the ethical behavior of units.

Four interrelated aspects of the nature of command make command climate an important variable in ethical behavior of Soldiers and units. Understanding these aspects and how they are related illuminates why this is true. We first need to consider the commander's responsibility to understand and translate the military ethic (culture) to specific conditions so his unit can apply it. The commander's responsibility to do this is a notion embedded in the law of war dating to Augustine. Augustine argued that "officers (commanders) are to be persons of such honor and integrity that they can be counted on to deal justly with their enemy."<sup>21</sup> Army regulation 600-20 reflects this idea. First, it states that "commanders are responsible for everything their command does or fails to do." Second, it states "Commanders and other Army leaders committed to the professional Army ethic promote a positive environment".<sup>22</sup> As explained earlier, that ethic includes adherence to the law of war. These concepts of responsibility for action and promoting an ethic explicitly state that it is the commander's duty to insure his Soldiers translation of the laws of war to any given situation are commensurate with his own. In organizations like the military, the least experienced members of the organization (Soldiers) are the executors of policy.<sup>23</sup> Also, as explained earlier, the complex and decentralized nature of today's military operations make application of the law of war difficult. For these reasons, the commander who has internalized the military ethic (through time, education and experience) must understand and translate the laws to the specific conditions for the benefit of less experienced Soldiers.<sup>24</sup> The degree to which the commander does this well will have a large impact on his unit's ethical performance. Roger Nye states it this way: "...the military commander himself will find those moral edges of policy that seem to fit his situation. Good commanders will establish an appropriate ethical stance; bad commanders will reveal their ignorance."<sup>25</sup> It is imperative that the commander add clarity for Soldiers in ambiguous conditions.<sup>26</sup> The commander's understanding of, and ability to translate, just war theory and the law of war will significantly impact the ethical climate he or she develops.

Given this impact, it follows that commanders should be held responsible for unit climate. This is the next aspect of the nature of command we must consider. Army command policy directly charges commanders with “establishing the leadership climate of the unit and developing disciplined and cohesive units.”<sup>27</sup> It states commanders must create positive environments that promote the Army ethic. It further states that military discipline, among other things, is founded upon embracing the professional Army ethic.<sup>28</sup> Army leadership doctrine tells us that climate must be nested with the overall culture of the organization. The climate is the way culture is brought to life and sustained in units and individuals.<sup>29</sup> This includes a moral and ethical climate that ensures adherence to law of war as a part of the professional military ethic. The doctrine states that leaders/commanders teach and reinforce values so subordinates can learn and then comply with the culture. Finally, doctrine charges commanders with creating an ethical climate that helps Soldiers internalize the professional ethic as they learn and comply.<sup>30</sup>

Learning, complying and internalizing implies an ongoing developmental process. Soldiers in a given unit will be in various stages of this process based on experience, time, rank, background, etc. This suggests that Soldiers’ ability to translate the ethic (including the law of war) to specific situations will vary. Therefore, it only makes sense that the commander should be charged with creating a positive, ethical command climate that promotes the professional Army ethic and that at any given time his subordinates are properly translating or applying that ethic.

While commanders are responsible for climate, it does not necessarily follow that they, as an independent variable, can exert complete control of unit climate. Other internal and external variables may impact climate. Internally, every unit has some percentage of Soldiers who might act out of rage, lunacy or sadism.<sup>31</sup> Externally, factors such as operational tempo and length of deployment may impact climate. However, evidence shows the impact commanders have on climate is significant. This aspect of command needs examining also. Leadership scholar, LTG Walter Ulmer, USA (Ret.) explains that there is “reasonably high agreement among scholars and practitioners that ...organizational climates are greatly influenced – for better or worse- by the values, insights, skills and behaviors of the senior leadership in the organization.”<sup>32</sup> Further, he identifies several recent studies that identify the ability to understand the relationship among organizational sub-systems that collectively make up the prevailing climate as a key leadership trait.<sup>33</sup> The recently conducted Division Commanders Study also supports the idea that the commander’s influence is great. That research used surveys and interviews of division commanders, their staffs and subordinate commanders who

recently returned from Operation Iraqi Freedom. Setting a high ethical tone was one of twelve most important critical leader tasks for successful units identified by the officers. One of the eleven conclusions of the report is that “a healthy command climate is essential for sustained organizational effectiveness....”<sup>34</sup> It also found that the division commanders leadership style remains a significant factor in determining the quality of command climate— even in highly decentralized operations such as those in Iraq.<sup>35</sup> The importance of climate cannot be overstated because it will largely determine the actions of subordinate leaders and Soldiers, particularly in decentralized conditions.

With the commander’s responsibility for and impact upon climate addressed, we can examine the final aspect of the nature of command that relates to the issue. That is the importance of climate on sub-unit and soldier behavior. In organizations like the Army, unit climate arguably has greater impact on individual and sub unit performance than any other aspect of leadership. In the *Sword and the Cross*, Toner explains that individuals accept and are largely influenced by their community. “Institutionalized norms” take on the strength of rules or law. Further, community implies accepting leaders and laws. Laws must be communicated and explained to gain widespread understanding and respect.<sup>36</sup> This means that if it is normal in a unit to shoot unarmed combatants or beat detainees, then individuals will treat that as a rule or law; they will conform to it. It also means people accept leadership and leaders can influence the norms. Collectively, the norms describe the climate of a unit or organization. This concept is especially important in organizations like the Army where the activities of operators (units and Soldiers) are “hard to observe but whose outcomes are easy to evaluate.”<sup>37</sup> During full spectrum operations military units at all levels operate in relative autonomy (decentralized operations). For example, neither the division, brigade nor battalion commander have direct control or visibility over a squad on patrol in Iraq. It is also important because, as described earlier, the executors of these decentralized (unsupervised) operations are the least experienced members of the Army. These kinds of organizations “rely heavily on ethos (culture) and the sense of duty of its operators to control behavior.”<sup>38</sup> It has already been explained that climate is the way commanders bring the culture to life in units. This relationship between culture, climate and individual behavior in organizations like the Army makes the commander/leaders’ role in linking all three paramount. These two concepts make it clear that commanders may influence individual circumstances through command presence and other means, but the overall performance of the unit will be a function of climate more than anything else.

In their work on *Military Leadership and Ethics*, Pfeifer and Owens identify several empirical studies that support these points and note that Kohlberg recognized that ethical climate impacted organizational decision making and individual moral reasoning.<sup>39</sup> Jones and Ryan found that “the effect of organizational ethical climate on individuals is that people act in accordance with their perception of the average moral standard...”<sup>40</sup> Building on this notion, Kelloway found that

...by establishing norms...of ethical behavior, organizations influence the moral reasoning of the individual, causing them to act as...those around them do. It is important to also note that leaders may play a paramount role in setting the ethical climate of an organization....<sup>41</sup>

Similarly, Bartels, Harrick, Martell and Strickland found that “...organizations with stronger ethical climates have less severe ethical problems, and are more successful at resolving such issues should they arise.”<sup>42</sup>

Understanding these aspects of command make clear the role command climate plays in the performance of units, including ethical performance. The points addressed here could be considered academic if history did not show us the negative results that occur when commanders fail to understand, pay attention to and create the appropriate overall and ethical climate. The quintessential example of this is the My Lai incident during the Vietnam War.

From 16–19 March 1968 elements of the Americal Division including C/1-20<sup>th</sup> IN, TF Barker under the command of Captain Medina conducted “search and destroy” operations in and around the village of My Lai. The Army’s investigation determined that members of the unit “massacred large numbers of Vietnamese men, women and children.”<sup>43</sup> The numbers of those killed vary from 175 to 400 persons depending on the source.<sup>44</sup> The massacre included an incident where 60–70 captives were forced into a ditch and then gunned down. While a number of variables are cited in the report as contributing to the atrocities, leadership and command climate were identified as playing a major role. Both the battalion commander and the company commander gave illegal orders prior to execution to kill everyone, burn huts and destroy livestock.<sup>45</sup> Captain Medina painted a picture for his subordinates that did not distinguish between combatant and non-combatant and he also implied the mission was an opportunity for revenge for previous friendly casualties.<sup>46</sup> Both the battalion and company commander clearly failed to translate the law of war to the specific conditions the unit faced. Further, the report indicates that Captain Medina was a dominate personality who was both respected and feared in his company. The overall climate Captain Medina fostered was determined a significant factor in the events of the day. There was a lack of “affirmative command and control” that resulted in a “permissive atmosphere” in which Soldiers in the unit

had engaged in rape, murder and other violations during previous operations.<sup>47</sup> Additionally, no leadership presence above the company level supervised the mission. These are just some of the shortcomings the report identified that collectively created a climate that fostered the transgressions in My Lai. In addition to failing to translate the law of war, the commander's actions (or lack thereof) fostered an unethical climate resulting in violations of the law of war.

A more current and relevant example to today's complex contingency operations were the actions of Lieutenant Colonel Michael Ellerbe's 3d Battalion, 504<sup>th</sup> Infantry, 82d Airborne Division during contingency operations in Kosovo in 1999-2000. On January 13, 2000 one of Ellerbe's Soldiers, Staff Sergeant Ronghi, attempted to rape and murdered an eleven year old ethnic Albanian girl. He then hid her body and conspired to keep the incident secret.<sup>48</sup> This could be considered the isolated act of a sadistic individual. However, when studied from a broader perspective it appears to be just one law of war violation indicative of a poor command climate that fostered unethical behavior. There are many parallels between Ellerbe's battalion, his A Company under Captain Lambert in particular, and those of Captain Medina's unit at My Lai. As with Medina, Ellerbe issued aggressive orders under "Task 7a – to neutralize ...splinter groups through strikes... removal of individuals from positions of authority... and discrediting those anti to KFOR..."<sup>49</sup> Author Dana Priest tells us:

Specific task 7a got Ellerbe's lieutenants stirred up...Finally something they could bite into... Ellerbe made it clear he would not need to know every little step they took...they had their mission. The KFOR rules of engagement would serve as their limits. He would support their judgments. He trusted they would ask questions when they needed guidance.<sup>50</sup>

Lieutenant Colonel Ellerbe encouraged subordinates to act aggressively in a vague and ambiguous environment, passed responsibility to translate the laws of warfare to the least experienced leaders in his unit (assuming they had enough experience and knowledge) and then did not supervise their actions. As with My Lai, the result was a permissive environment in which the lines of acceptable behavior were blurred under the pressure to get a specific task accomplished. In the case of Staff Sergeant Ronghi's platoon and company, many unethical actions and law of war violations occurred in the weeks and months prior to the rape. It was common practice for foot patrols to physically abuse civilians. Staff Sergeant Ronghi assisted his platoon leader in physically beating Kosovars during interrogations. A platoon leader threatened a detainee by putting a gun to his head. Another platoon leader let an NCO choke an Albanian until he passed out.<sup>51</sup> All these acts are anecdotal of the permissive and unethical climate that existed in the unit. Even when Kosovar civilians complained to Ellerbe and other leaders, those leaders chose to discount the complaints and took it as a sign their aggressive

approach was working.<sup>52</sup> Again, as with My Lai, this permissive environment with little senior leader supervision resulted in a slippery slope of unethical behavior that digressed to the point of rape, murder and cover-up. While other factors certainly played a role, it is apparent that a unit climate of unethical norms prevailed.

While the My Lai and Kosovo incidents are more than 30 years apart, the role of climate in the unethical performance of the units is strikingly similar. Additionally, it is worth noting that in both cases, sister units acting in the same conditions seem to have exhibited much better moral judgment. In the case of My Lai, the report indicated that Captain Medina's fellow company commander was known by his men for ethical bearing. That company did not commit the atrocities that Medina's did. Similarly, in Kosovo, Captain Lambert's fellow company commander, Captain Pratt, operated in the same vague ambiguous conditions. However, even when facing a dangerous mob in a tense standoff when use of force would have been authorized, Captain Pratt chose not to and found a way to defuse the situation.<sup>53</sup> These two examples refute the notion that there may have been something particular about the conditions that justified the unethical performance of the units.

These two case studies amplify the three key points discussed above. Commanders are a significant independent variable in instilling ethical behavior in individuals and units. The commander's impact on unit climate is significant and climate is the most significant factor on the performance of individuals and units.

#### The Impact of a Short-Term Mindset

The actions of commanders have a great impact on climate, and climate has a telling impact on individual and unit performance. Therefore commanders would do well to concentrate their attention on command climate not only to achieve superior performance, but also to engender ethical behavior. To achieve this, commanders need to know how to recognize and attain a positive climate that fosters ethical behavior.

In *Improving Accountability for Effective Command Climate*, Colonel Steve Jones describes the unit characteristics necessary to foster command climates suitable for the transformational Army of the 21<sup>st</sup> century. He cites Army White Paper "Objective Force in 2015" that commends climates fostering initiative, innovation and risk taking. He also describes climates that inspire continual learning, improvement and growth.<sup>54</sup> General Ulmer's descriptions are similar and he further emphasizes the need to create climates that "undergrid [sic] any learning organization".<sup>55</sup> Both suggest leader development is a critical element along with building trust and a sense of team.

Jones also points to Marcia Whitaker's work that identifies leaders as trustworthy, transitional or toxic. Trustworthy leaders are morally grounded and put the needs of the organization and their followers first. Transitional leaders are self absorbed and concerned with looking good to their superiors. Toxic leaders are self absorbed like transitional, but to the point of malicious behavior. Both transitional and toxic leaders are focused on the present mission and results that make them look good. These units may have short term success, but at the expense of the overall long term welfare of Soldiers and the unit.<sup>56</sup> Hartjen suggests that negative command climate is partially a result of commanders who only focus on the present and demand high results in everything without prioritization. He asserts that innovation is the first casualty in these units and "ethical standards for behavior" are the second.<sup>57</sup> This is due to the pressures put on subordinates to get results, coupled with a lack of guidance and coaching. The Abu Ghraib Investigations findings are consistent with this. It states the Army Inspector General found:

..morale was high and command climate was good throughout...all units ...in Afghanistan and Iraq, with one noticeable exception. Soldiers conducting detainee operations...complained of very poor morale and command climate due to lack of leader involvement, support and the perception leaders did not care.<sup>58</sup>

While many inferences can be made from these points, one general deduction can be made: leaders and units that focus solely on the current mission with a "get it done at any cost" attitude, and without significant concern for the impact on Soldiers and long term effectiveness will have negative command climates. This will include high potential for unethical behavior that may be evidenced by law of war violations. Conversely, leaders and units that can balance current operations with the developmental needs for Soldiers, leaders, and the unit will have more positive climates. This will include positive ethical behavior.

This general point is important because it is in the developmental aspect of leadership and climate that continuous learning, growth, trust, and team building occur. Since ethical behavior and the military ethic are part of learning, complying, and internalizing processes, they cannot occur unless these developmental conditions exist in unit climate. While this is a hard thing to do during combat and in the execution of complex contingencies, it is also most important that commanders make time for it in these environments.

#### Recognizing and Fostering an Ethical Command Climate

While it is beyond the scope of this paper to detail a comprehensive list of characteristics of a positive command climate that fosters ethical behavior, a few key points are worth consideration. An underlying aspect of positive climate is command presence. Commanders

cannot assume that subordinate leaders are steeped in the military ethic and law of war logic. They cannot know how their subordinates are applying it if they are not out among them. Presence also creates a building block for trust. In his studies, Hartjen identifies trust as paramount to good command climates.<sup>59</sup> I suggest that trust is also the portal to the developmental process. Trust allows for candid non-attribution after action reviews that can be used to teach, coach and mentor not just an individual but the entire unit. Tied to the notion of trust is the necessity of insuring there is not a “zero defect” mentality in the unit. A zero defect mentality runs counter to the developmental process because it implies the leaders’ role is not to coach and mentor. Presence, trust, and a tolerant environment are fundamental to creating a climate that fosters development, continuous improvement and growth.

To ensure units have positive command climates that foster ethical behavior the Army needs to make sure that commanders are not sacrificing investment in the growth and development of the unit, leaders and Soldiers for the sake of the immediate mission. I suggest that by balancing these two aspects of command responsibility, commanders will actually improve performance of the immediate mission over the long run. There is plenty of literature that addresses things the Army can do to improve command climate. Jones suggests institutional accountability measures for effecting climate.<sup>60</sup> Ulmer emphasizes the need for doctrine to address climate more thoroughly.<sup>61</sup> Pfaff offers techniques to ease ethical decision making under vague and complex conditions.<sup>62</sup> My intent is not to suggest another checklist. I simply suggest that strategic, operational and tactical leaders need to understand that the climate they create will be the most significant factor in their unit’s performance, including ethical behavior. Accepting this assertion, leaders should put the preponderance of their energy into creating the right climate. To do so they must invest time and energy into development and growth aspects of command—not just the immediate mission. This does not necessarily require new methods. It only requires a leadership emphasis on keeping an eye on the long term health and welfare of the unit while executing the current mission.

Given the vague, uncertain, complex and ambiguous environment we face in the war on terrorism, we owe it to our Soldiers to help them make ethical decisions. Command climate is the commander’s most powerful tool in ensuring ethical behavior. It is the reason that leadership is the decisive factor in the ethical performance of units.



## Endnotes

<sup>1</sup> Martin L. Cook, *The Moral Warrior: Ethics and Service in the US Military* (Albany, NY: State University of New York Press, 2004), 21.

<sup>2</sup> Ibid.

<sup>3</sup> Roger H Nye, *The Challenge of Command* (Wayne, NJ: Avery Publishing Group, 1986), 99-113.

<sup>4</sup> Anthony Shadid, "US Commander in Iraq Calls Shooting 'Tragic,'" *The Washington Post*, 17 November 2004, sec. A, p. 15.

<sup>5</sup> "The World; Military Panel Convicts Soldier; Army Tank Company Commander Is Found Guilty of Shooting to Death of an Unarmed, Wounded Iraqi," *Los Angeles Times*, 1 April 2005, sec. A, p. 8.

<sup>6</sup> Vernon Loeb, "Army Officers Actions Raise Ethical Issues", *The Washington Post*, 30 November 2003, sec. A, p. 24.

<sup>7</sup> Human Rights Watch, "Leadership Failure, First Accounts of Torture of Iraqi Detainees by the US Army's 82d Airborne Division," New York, Human Rights Watch Publications, September, 2005, vol. 17, No. 3(G), available from <http://hrw.org/reports/2005>; internet, accessed 8 November 2005.

<sup>8</sup> Dana Priest, *The Mission* (New York: WW Norton Co., 2003), Ch. 16.

<sup>9</sup> Cook, 25.

<sup>10</sup> H. Richard Yarger, "Toward a Theory of War Strategy," in *Theory of War and Strategy Readings*, Vol. 1 (Carlisle Barracks, PA: US Army War College, 2005), 10.

<sup>11</sup> U.S. Department of the Army, *Army Leadership*, Field Manual 22 – 100 (Washington, DC: Department of the Army, August 1999), E3.

<sup>12</sup> Tony Pfaff, "Military Ethics in Complex Contingencies," in *The Future of the Army Profession*, ed. Lloyd Matthews (Boston: McGraw Hill, 2005), 409 - 410.

<sup>13</sup> FM 22-100, 3-6, 7.

<sup>14</sup> Cook, 22.

<sup>15</sup> Anthony E. Hartle, *Moral Issues in Military Decision Making* (Lawrence, KS: University Press of Kansas, 2004), 3.

<sup>16</sup> Pfaff, 410.

<sup>17</sup> James L. Toner, *The Sword and the Cross* (Albany, NY: Praeger, 1992), 76.

<sup>18</sup> U.S. Army War College, *Ethics in Wartime, My Lai Case Study* (Carlisle Barracks, PA: U.S. Army War College, 1993).

<sup>19</sup> Priest, Ch 14–16.

<sup>20</sup> Pfaff, 411.

<sup>21</sup> John M. Mattox, "The Moral Foundations of Army Officership," in *The Future of the Army Profession*, ed. Lloyd Matthews (Boston, McGraw Hill, 2005), 396.

<sup>22</sup> U.S. Department of the Army, *Army Command Policy*, Army Regulation 600-20 (Washington DC: U.S. Department of the Army, 13 May 2002), 1, 5.

<sup>23</sup> Michael Lipsky, *Street Level Bureaucracy* (New York: The Russell Sage Foundation, 1980), 4.

<sup>24</sup> Cook, 25.

<sup>25</sup> Nye, 84–90.

<sup>26</sup> Cook, 25.

<sup>27</sup> AR 600-20, 1.

<sup>28</sup> Ibid.

<sup>29</sup> FM 22-100, 3-14.

<sup>30</sup> Ibid., app. E.

<sup>31</sup> Nye, 89.

<sup>32</sup> Walter F. Ulmer Jr, "Military Leadership into the 21<sup>st</sup> Century: Another 'Bridge Too Far?'" *Parameters* (Spring 1998): 5.

<sup>33</sup> Ibid.

<sup>34</sup> Walter F. Ulmer et al., "Leadership Lessons at Division Command Level," in *Strategic Leadership Course Readings*, (Carlisle Barracks, PA: US Army War College, 2005), 165.

<sup>35</sup> Ibid.

<sup>36</sup> Toner, 86, 91.

<sup>37</sup> James Q. Wilson, *Bureaucracy: What Government Agencies Do and Why They Do It* (New York: Basic Books, 1989), 165.

<sup>38</sup> Ibid., 167.

<sup>39</sup> Jeffrey Pfeifer and Katherine M.B. Owens, *Military Leadership and Ethics* (Regina Saskatchewan, Canada: Canadian Institute for Peace, Justice and Security, University of Regina, April 2002), 8.

<sup>40</sup>T.M. Jones and L.V. Ryan, "The Link Between Ethical Judgment and Actions in Organizations: A Moral Approbation Approach," *Organizational Science* 8 (1997): 663-680.

<sup>41</sup> K. Kelloway, *Literature Review: Towards a Model of Ethical Decision Making in Organizations* (Ottawa: DHRRE Publications, 1999).

<sup>42</sup> L.K. Bartles, et al., "The Relationship Between Ethical Climate and Ethical Problems within Human Resource Management," *Journal of Business Ethics* 17 (1998): 799 – 804.

<sup>43</sup> U.S. Department of the Army, *Report of the Department of the Army Review of the Preliminary Investigations into the My Lai Incident* (Washington DC: U.S. Department of the Army, 14 March 1970), 2-12.

<sup>44</sup> Ibid., 2-3.

<sup>45</sup> Ibid., 8-2.

<sup>46</sup> Ibid., 8-13, 14.

<sup>47</sup> Ibid., 8-11, 12.

<sup>48</sup> Priest, 324–350.

<sup>49</sup> Ibid., 318.

<sup>50</sup> Ibid., 319.

<sup>51</sup> Ibid., 318–350.

<sup>52</sup> Ibid., 342.

<sup>53</sup> Ibid., 357, 358.

<sup>54</sup> Steven M. Jones, *Improving Accountability for Effective Command Climate: A Strategic Imperative*, Strategy Research Project (Carlisle Barracks, PA: US Army War College, September 2003), 1.

<sup>55</sup> Ulmer, 4.

<sup>56</sup> Jones, 5.

<sup>57</sup> Raymond C. Hartjen Jr., *Ethics in Organizational Leadership*, Strategy Research Project (Carlisle Barracks, PA: US Army War College, May 1984), 74 - 75.

<sup>58</sup> Steven Strasser, ed., *The Abu Ghraib Investigations: The Official Report of the Independent Panel and the Pentagon on the Shocking Prisoner Abuse in Iraq*, (New York: Public Affairs, 2004), 53 - 54.

<sup>59</sup> Hartjen, 79 - 80.

<sup>60</sup> Jones, 20–28.

<sup>61</sup> Ulmer, 22–25.

<sup>62</sup> Pfaff, 420–426.